

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Order Relates To:

ALL CASES

_____/

**ORDER REGARDING MATTERS ADDRESSED DURING THE
APRIL 29, 2020 VIDEO CONFERENCE**

On April 29, 2020, the Court held a video conference to address discovery and other case management-related issues. The Court now orders as follows:

1. Interim Co-Lead Class Counsel's Motion to Amend

Interim Co-Lead Class Counsel's motion to amend the case management order (ECF No. 1108) is granted in part and denied in part. The Court finds good cause to grant the motion for an extension of time to file Class Plaintiff's motion for class certification. Upon a showing of good cause, courts may grant timely motions for a deadline extension. Fed. R. Civ. P. 6(b). Due to the difficulties posed by the COVID-19

pandemic, Interim Co-Lead Class Counsel represented that some of their experts have been delayed in finishing their expert reports because the experts are working on research related to the pandemic. *See* (ECF No. 1108-1.) The extension of time is granted and the motion for class certification is now due on **Tuesday, June 30, 2020**.

The Court denies Interim Co-Lead Class Counsel's motion to amend the case management order to coordinate pre-trial motions and trials between Class Plaintiffs and the initial bellwether Plaintiffs. As set forth during the hearing, proceeding with the bellwether trials on the current schedule and maintaining separate pre-trial motions hearings will not prejudice Class Plaintiffs and will promote the efficient management of this complex litigation.

2. Investigative Subpoena Briefing Schedule

On **Tuesday, May 5, 2020**, Interim Co-Liaison Counsel and Interim Co-Lead Class Counsel will file a motion to compel the release of investigative subpoena transcripts and related documents produced in connection with the State of Michigan's Flint Water investigation. Any responses to this motion will be due on **Wednesday, May 13, 2020**, and

the Court will hear oral argument during the May 20, 2020 status conference.

3. Briefing Schedule in *Walters, et al. v. Flint, et al.*

The Court recently consolidated *Meeks, et al. v. United States*, 19-13359, with *Walters, et al. v. Flint, et al.*, 17-10164. The United States will have until **Friday, June 5, 2020** to file the motion to dismiss that it indicated it plans to file. The United States' brief is not to exceed 40 pages, excluding the signature page. Plaintiffs will have until **Tuesday, July 7, 2020** to respond, with the same page limitation, and a reply will be due no later than **Friday, July 24, 2020**.

Dated: April 30, 2020
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on April 30, 2020.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager